

UNITED STATES DISTRICT COURT

D. C. Form No. 106A Rev.

TITLE OF CASE			ATTORNEYS				
THE RACE-O-Matic Company, a corporation, vs TRIANGLE PUBLICATIONS, INC., a corporation, d/b/a The Morning Telegraph and Daily Racing Form,			For plaintiff: Farmer, Woolsey, Flipppo & Bailey By Robert J. Woolsey 602 National Bank of Tulsa, Bldg., Tulsa, Oklahoma 74103 Phone 585 1181				
			For defendant: Gable, Gotwals, Hays, Rubin & Fox 2010 4th National Bank Bldg Tulsa, Oklahoma 74119 Harold E. Kohn, Dolores Korman 2600 The Fidelity Building Philadelphia, Pa. 19109				
STATISTICAL RECORD	COSTS		DATE	NAME OR RECEIPT NO.	REC.	DISB.	
J.S. 5 mailed 3-1-69	Clerk		2-10-69	Woolsey	15 00		
			2-13-69	C/D 35		15 00	
J.S. 6 mailed 12-1-70	Marshal						
Basis of Action: Recover damages from deft. from violation of the anti- trust laws. of U.S.	Docket fee						
Action arose at: Tulsa	Witness fees						
	Depositions						

DATE	PROCEEDINGS	Date Order or Judgment Noted
2-10-69	Complaint, filed. js	
2-10-69	Summons Issued, to U. S. Marshal. js	
2-10-69	Summons Issued, by Certified Mail, return receipt request.#798670.js	
2-17-69	Return on summons filed. Executed by John Rogers, Secy of State, serving Triangle Publications, Inc. at 7312 Plymouth Court, Chicago, Ill. by certified mail, on 2-13-69. ds	
2-20-69	Return on summons, filed. Served Triangle Publications, Inc., by serving Secy. of State John Rogers, Okla. City, Okla. on 2-13-69. (Fees: \$4.72)m	
3-4-69	Answer of Triangle Publications, Inc. filed. Jury trial demanded. ds	
3-6-69	Interrogatories of defendant Triangle Publications, Inc. to plaintiff, filed. ds Letter mailed to attorney for plaintiff.	
3-10-69	Interrogatories to Triangle Publications, Inc., by plaintiff, filed and Letter mailed to attorney for defendant. js	
3-14-69	Answer of the Race-O-Matic Company to Interrogatories of Defendant Triangle Publications, Inc., filed.h	
3-17-69	Application for extension of time for defendants to object or answer interrogatories propounded by plaintiff, filed. ds	
3-17-69	Order extending time for defendant to object to or answer interrogatories, filed. Time extended to 4-1-69, by court clerk. ds	
3-26-69	Objections of defendant to interrogatories of plaintiff, filed. g	
3-26-69	Brief in support of objections to interrogatories of plaintiff, filed. g	
4-1-69	Response of Race-O-Matic Company to objections of defendant to interrogatories, filed. b	
4-25-69	Stipulation, filed. m	
5-6-69	Stipulation re interrogatories, filed. g	
6-24-69	Answers of defendant Triangle Publications, Inc. to Interrogatories of the Race-O-Matic Company, filed. ds	
7-16-69	Motion for Production of Documents filed by plaintiff. h	
7-16-69	Brief in support of Plaintiff's motion to Produce Under Rule 34 filed.h	
7-24-69	Defendant directed to file within 15 days, a responsive brief in response to plaintiff's brief in support of motion to produce documents. (AEB-J)g	
7-24-69	Hearing held on deft's objections to interrogatories of pltf. Pltf. withdraws certain interrogatories & objections are overruled in part and sustained in part. Pltf. to resubmit certain interrogatories and deft. to prepare order. (AEB-J)m	
8-7-69	Order on defendant's objections to plaintiff's interrogatories, filed. (AEB-J) ds	
8-18-69	Supplemental Answers of Deft. Triangle Publications, Inc. to Interrogatories of the Race-O-Matic Co., Filed. js	
8-26-69	Certificate of Service filed by plaintiff. h	
8-26-69	Motion for Leave to File Amended Complaint filed.(attached proposed amended complaint)h	
8-26-69	Brief in Support of Motion for Leave to File Amended Complaint.filed.h	
9-8-69	Answer on behalf of defendant to motion for leave to file amended complaint, filed. ds	
9-8-69	Brief in opposition to plaintiff's motion to amend the complaint, filed. ds	
9-16-69	Plaintiff's Response to brief of defendant Triangle in opposition to Plaintiff's motion to amend the complaint, filed. ds	
9-24-69	Reply of defendant Triangle Publications, Inc. to plaintiff's response with respect to motion to amend the complaint, filed. g	

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DATE	PROCEEDINGS	Date Order or Judgment Noted
10-6-69	Deposition of Robert J. Woolsey, taken on behalf of defendants, filed. g (\$163.00)g	
11-24-69	Order sustaining motion for production of documents, filed. (AEB-J)m	
11-24-69	Order that pltf's motion to file amended complaint is overruled in part and sustained in part, and that pltf. file its first amended complaint within 10 days from today and defts. file answer 15 days thereafter, filed. (AEB-J)m (copies mailed)	
11-25-69	Notice to take depositions, filed. ds	
12-1-69	Amended complaint, filed. g	
12-8-69	Answer of Triangle Publications, Inc. to amended complaint, filed. m	
1-6-70	Minute Order: Parties directed to hold pre-trial prior to 2-6-70, and file pre-trial order not later than 2-12-70. (AEB-J)g	
1-21-70	Deposition of Herman E. Nichols, Jr., taken by deft, together with deft's deposition exhibits, filed. m	
1-30-70	Motion ^{Defendants} for summary judgment pursuant to rule 56(b), filed. ds	
1-30-70	Affidavit of Dolores Korman in support of motion for summary judgment on behalf of defendant, Triangle publications, Inc., filed. ds	
1-30-70	Affidavit of Stewart Hooker in support of motion for summary judgment on behalf of defendant, Triangle Publications, Inc. filed. ds	
1-30-70	Minute Order: Ordered by the court that plaintiffs file a responsive brief within 10 days to defendant's motion for summary judgment, pursuant to Rule 56(b). (AEB-J) ds	
2-3-70	Brief in support of motion of deft. Triangle Publications, Inc., for summary judgment, filed. m	
2-4-70	Application of pltf. for extension of time in which to file response to deft's motion for S/J to 3-1-70, filed. m	
2-9-70	Order filed that plaintiff granted until March 2, 1970 in which to respond to defendant's motion for summary judgment.(AEB-J)h	
2-26-70	Stipulation that pltf shall have 10 days to 3-12-70 to file response brief to deft's motion for S/J with approval granted. (AEB-J)m	
3-12-70	Depositions of Stewart Hooker, Saul D. Rosen, Albert Stiller and Leo Waldman, with exhibits, filed. m	
3-12-70	Brief in response to motion of deft. Triangle Publication, Inc., for S/J, filed. m	
3-12-70	Affidavit of Robert J. Woolsey in behalf of Race-O-Matic Co., filed. m	
3-12-70	Affidavit of Herman Nichols on motion for S/J of Triangle Publications, filed. m	
4-30-70	Deft's objections to and motion to strike material submitted by pltf. in connection with motion for S/J, filed. m	
4-30-70	Reply on behalf of deft. Triangle Publications, Inc., in support of its motion for S/J, filed. m	
10-20-70	Hearing held on motion for summary judgment of the defendant pursuant to Rule 56(b). It is ordered that deft's motion to strike material is overruled. Motion for S/J of defendant is sustained, therefore plaintiff's request for Injunctive Relief is denied, and case is hereby dismissed. Defendant to prepare proper FF/CL within 20 days, and judgment to be entered on date of filing F/F and C/L. (AEB-J)h	
11-25-70	Order and opinion that motion of deft. Triangle Pub. for Summary Judgment be and hereby is granted and the clerk is directed to enter Judgment for Deft., Filed. (AEB-J)v <i>Copies sent to Mr. Woolsey</i>	
11-25-70	Judgment filed and entered. (AEB-J)v <i>Copies to all other parties</i>	

DATE	PROCEEDINGS	Date Order or Judgment Noted
12-3-70	Bill of Costs in the amount of \$982.79 filed. h	
12-3-	Notice of Taxation of Costs filed by defendant.(12-7-70 at 10:00am)h	